

REMARKS

Claims 1-3, 7, 8, 11, 14-15 and 16-17 are pending in the application. Claims 1, 2, 3, 7, 8, 11 and 14-15 have been amended. Claims 16 and 17 have been added. Support for the amendments and the new claims may be found in the specification as originally filed. No new matter has been added.

REJECTIONS UNDER 35 USC 102(b)

1. Claims 1-12, 14 and 15 stand rejected under 35 USC 102(b) as being anticipated by Reilly et al. (hereinafter "Reilly").

It is well settled that in order for a prior art reference to anticipate a claim, the reference must disclose each and every element of the claim with sufficient clarity to prove its existence in prior art. The disclosure requirement under 35 USC 102 presupposes knowledge of one skilled in art of claimed invention, but such presumed knowledge does not grant license to read into prior art reference teachings that are not there. *See Motorola Inc. v. Interdigital Technology Corp.* 43 USPQ2d 1481 (Fed. Cir. 1997). It is also well-settled that a 35 USC 102 rejection must rest upon the literal teachings of the reference and that the teachings must disclose every element of the claimed invention in as complete detail as is contained in the claim (See *Jamesbury Corp v. Litton Industrial Products, Inc.* 225 USPQ, 253, 256 (Fed. Cir. 1985); *Kalman v. Kimberly-Clark Corp* 218 USPQ 781, 789 (Fed. Cir. 1983)).

The Office Action alleges that Reilly teaches "a syringe adapter comprising a rear mounting member (132) and a front mounting member (133). The front member includes capture members (114) which engage the syringe at (120) and terminates in a distal edge (142). The rear member includes tabs (132) or threads/annular ridges. The rear member will connect to the syringe with movement in any of a rotational, axial, or vertical direction depending on the position of the injector housing." See Figures 10 and 11.

Applicants' have amended Claims 1 and 15. Claim 1 has been amended to include subject matter from cancelled claims 4, 5, and 6, and to include that "a front

mounting member adapted to releasably connect to a corresponding mounting member on a rear end of a syringe to install the syringe on the injector.” (Claim 15 also has been amended to include similar subject matter.) This novel feature permits the syringe adaptor to connect to the syringe at its rearward end. Reilly, however, discloses a pressure jacket with a front end that surrounds the front end of the syringe.

In fact, Reilly discloses that:

The pressure jacket systems of the invention are used to permit the front loading and removal of a syringe from an injector and include a first jacket segment and a second jacket segment surrounding the exterior surface of the syringe, interior surfaces conformable to the exterior surface of the syringe, a mechanism which allows movement of the first jacket segment in relation to the second jacket segment to permit insertion and removal of the syringe from the pressure jacket, and a mechanism for securing the first and second jacket segments in a fixed relationship upon insertion of the syringe. (Abstract, *emphasis added*)

Thus, Reilly requires that the front of the pressure jacket 112 with the locking fingers 114 merely surrounds (and does not even connect) to the front of the syringe. (see Fig. 11). Thus, Reilly discloses that the pressure jacket 114, including locking fingers 114, engage the syringe at a front portion of the syringe (see Fig. 11). Therefore, this is very different from Applicants’ invention of Claims 1 and 15 including “a front mounting member adapted to releasably connect to a corresponding mounting member on a rear end of a syringe to install the syringe on the injector.”

Further, with regard to the rear end 132 of the pressure jacket 112, Reilly discloses that the pressure jacket 112 is connected at its rear end to the injector head 20 by any suitable means such as a threaded connection. (*Emphasis Added*, col. 5, lines 5-54). Therefore, Reilly discloses a connection at the back end of the pressure jacket that requires orientation specific positioning of the adapter. Accordingly, Reilly does not disclose Applicants’ invention of Claims 1 and 15.

Regarding Claim 11, Claim 11 discloses that “the rear mounting member is moved in an axial direction to releasably connect to the syringe retaining mechanism of the injector.” Reilly, as discussed, requires a suitable connection such as threading to attach the pressure jacket to the injector head; this requires a specific rotational motion to release. Accordingly, Reilly does not disclose that an axial direction with release the connection. Therefore, Claim 11 is believed to be allowable.

Further, regarding dependent Claims 2, 3 and 7-11, they depend from independent Claim 1 either directly or indirectly. As discussed above, independent Claim 1 is believed to be allowable, thus Claims 2, 3 and 7-11 are also believed to be allowable.

Regarding Claim 14, Claim 14 is directed to a method including “releasably connecting an adapter configured to accept the syringe on the injector without regard to the orientation of the adapter with respect to the injector.” Reilly, however, requires that the syringe attach to the injector by a connection means such as a threaded portion, as discussed above. This is very different from Applicants’ invention because such a connection requires specific orientation to engage the threads. Thus, Claim 14 is believed to be allowable.

NEW CLAIMS

Claims 16 and 17 have been added. Independent Claim 16 includes subject matter from Claims 1, 4 and 7-9. Reilly does not disclose the features of the rear mounting member including that of Claims 4 and 7-9. Thus, Claim 16 is believed to be allowable.

Claim 17 depends from 15 and is directed to the rear mounting member. Reilly does not disclose the “projections [that] extend in the axial direction” of Applicants’ invention, rather Reilly discloses a threaded connection. Thus, Claim 17 is believed to be allowable.

In view of the above amendments and remarks, Applicants submit that the claims are in condition for allowance. Reconsideration of this application is respectfully requested.

Respectfully submitted,

By:

A handwritten signature in black ink, appearing to read 'Jill Benesvich', is written over a horizontal line. The signature is stylized with a large loop at the beginning and a long, sweeping tail.

Jill Benesvich

Registration No. 52,810